



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Second day of June Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9265 of 2015

1 SINGAM

2 KUBENDRAN

... PETITIONERS/ACCUSED No. 2 & 3

Vs

STATE REP BY THE INSPECTOR OF POLICE
DEVATHANAPATTI POLICE STATION, THENI DIST,
CRIME NO.236/2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.SENGUTTUARASAN Advocate

For Respondent : MR.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

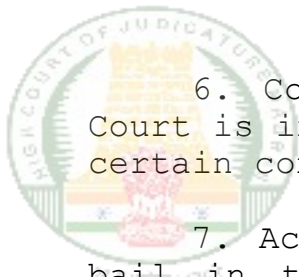
The petitioners/A2 and A3 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 3 and 25(i) (ba) of Indian Arms Act in Crime No.236 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 11.5.2015 at Kammakkapatti check post the accused were found in possession of unlicensed gun.

3.The learned counsel for the petitioners submitted that the petitioners were implicated on the basis of confession of the first accused and they were not involved in the alleged offence. It is further submitted that the petitioners are innocents and they have been falsely implicated in this case.

4.The learned Government Advocate(Crl.Side) appearing for the State filed a counter affidavit and also submitted that the petitioners have involved in two previous cases and they are habitual offenders.

5. The learned counsel for the petitioners submitted that the respondent has not recovered anything from the petitioners and even in the earlier cases, nothing has been recovered from the petitioners and prays for anticipatory bail in favour of the petitioners.



6. Considering the facts and circumstances of the case this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the Judicial Magistrate, Periyakulam, on each of them executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily twice at 10.00 a.m and 5.00 p.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
02/06/2015

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, PERIYAKULAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, THENI
- 3 THE INSPECTOR OF POLICE, DEVATHANAPATTI POLICE STATION, THENI
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.SENGUTTUARASAN Advocate SR.No.26861

ORDER
IN
CRL OP(MD) No.9265 of 2015
Date :02/06/2015

AA/03.06.2015/2p - 6c/